

RECEIVED
FEDERAL ELECTION
DUNCAN & BRANDT P.C.
ATTORNEYS AT LAW
1800 FOURTH STREET
PERU, ILLINOIS 61354
NOV 16 PM 4:35

JAMES J. DUNCAN (1924-1985)
JONATHAN F. BRANDT
VICTORIA M. MUNSON

November 15, 2017

TELEPHONE (815) 223-0191
FAX (815) 223-0173
dandb@duncanandbrandt.com

VIA FEDEX

Federal Election Commission
Office of Complaints Examination
And Legal Administration
999 E. Street, NW
Washington, DC 20463

Attention: Ms. Christal Dennis, Paralegal

Dear Ms. Dennis:

RE: MUR 7295
Jonathan F. Brandt
Duncan & Brandt, P.C.

Peru Federal Savings Bank has provided me with Attorney Jeff S. Jordan's letter dated November 8, 2017. Attorney Jordan's letter was sent to me in care of Peru Federal Savings Bank. I would ask that any future mailings for my or my firm's response be mailed direct. Any correspondence to be sent to Peru Federal Savings Bank should be directed there to the attention of its President, Mr. Eric J. Heagy. Thank you.

Turning to the matter at hand, I do serve as the Vice Chairman of the Board of Directors for Peru Federal Savings Bank. My firm serves as the Board Attorney. I have been on the Board of Directors since 2007 and my firm has served as the Board Attorney since 1995.

President Heagy will be sending Peru Federal Savings Bank's response to Julie L. Ajster's Complaint as set forth in her letter dated October 27, 2017, addressed to Ms. Ruth Heilizer of the Federal Election Commission.

Attorney Jeff S. Jordan has asked for my response in his letter concerning Ajster's complaints about Peru Federal Savings Bank. My response, being made in my "individual capacity" is that I have never requested, nor directed, nor do I have the power or authority to cause Peru Federal Savings Bank to make contributions to a candidate's campaign fund. I suggest no such political contributions have ever been made. I expect you will hear from Mr. Heagy that his decisions on advertising do not even rise to the Board level when the expense is less than a few hundred dollars a year.

My individual contributions or my firm's contributions were most often made for the LaSalle County State's Attorney golf outing. The cost for four golfers to attend the golf outing was \$400.00. Besides my cost of \$100.00 to attend, I would contribute the remaining \$300.00 for my other three guest golfers in my foursome to advertise, promote and build good will towards my firm by inviting financial planners, clients, businessmen and attorneys. Sometimes my firm would sponsor a sign on a golf hole, again, to promote my firm and myself at an additional expense of \$100.00.

Ms. Christal Dennis
November 15, 2017
Page 2

Besides making contributions of \$400.00 per year to attend most of the golf outings and \$100.00 a year for a hole sign once in a while, all to promote and advertise my firm, I hosted two cookouts in my backyard to raise money for Attorney Towne's campaign. The contributions by myself or by my firm over a ten year period totaled \$7,119.94. Of that amount, \$3,419.94 was to cover some of the expenses of the two fundraiser cookouts held in my backyard in 2011 and 2012. Attorney Towne's campaign committee paid for the food. See the two enclosed In-Kind Contribution Notifications that I provided to Attorney Towne's campaign committee for specifics.

For your benefit, what really is going on here is Ajster's attempt at retaliation for her perceived conception that myself and Attorney Towne are the reason for her facing disciplinary proceedings before the Illinois Attorney Registration and Disciplinary Commission. I enclose a copy of the pending Complaint filed by the ARDC on January 6, 2016, now set for hearing on January 9 and 10, 2018. If you have any questions or concerns about those proceedings, you should contact Attorney Jonathan M. Wier at the Illinois ARDC by calling (312) 565-2600 or writing him at One Prudential Plaza, 130 East Randolph Drive, Suite 1500, Chicago, Illinois, 60601-6219.

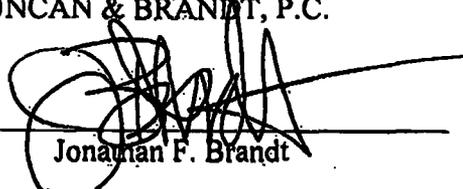
Should you have any questions or suggestions, please feel free to call.

I, Jonathan F. Brandt, do hereby affirm that all of the foregoing statements are true and correct to the best of my knowledge and belief.

Very truly yours,

DUNCAN & BRANDT, P.C.

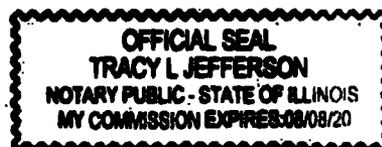
By


Jonathan F. Brandt

jfb/tj
enclosures

SUBSCRIBED AND SWORN TO and
before me this 15th day of November, 2017.


Notary Public



COPY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Peru Federal Savings Bank
Johnathan Brandt, Vice Chairman
1730 4th Street
Peru, IL 61354

NOV 08 2017

RE: MUR 7295

Dear Mr. Brandt:

The Federal Election Commission received a complaint that indicates that Peru Federal Savings Bank, and you in your individual capacity, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 7295. Please refer to this number in all future correspondence.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against Peru Federal Savings Bank, and you in your individual capacity in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and § 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.¹

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. Please note that you have a legal obligation to preserve all documents, records and materials relating to the subject matter of the complaint until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519.

¹ The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

Any correspondence sent to the Commission, such as a response, must be addressed to one of the following (note, if submitting via email this Office will provide an electronic receipt by email):

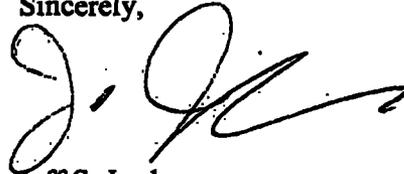
Mail
Federal Election Commission
Office of Complaints Examination
and Legal Administration
Attn: Christal Dennis, Paralegal
999 E Street, NW
Washington, DC 20463

OR

Email
CELA@fec.gov

If you have any questions, please contact Christal Dennis at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Jeff S. Jordan
Assistant General Counsel
Complaints Examination &
Legal Administration

Enclosures:

1. Complaint
2. Procedures
3. Designation of Counsel Statement

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of this donated goods or services within five (5) business days.

Do not send this form to the State Board of Elections.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an individual occupation & employer must be provided.

To Candidate/Political Committee:

From:

 Brian Towne

 Citizens for Towne - LaSalle County

 State's Attorney

 Jonathan F. Brandt

 Attorney

 Duncan & Brandt, P.C.

 1800 Fourth Street

 P.O. Box 568
 Peru, IL 61354

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable)	Date	Value
Hy-Vee Food Store, 1651 Midtown Rd., Peru, IL 61354 Wake The Sheep, c/o Richard Verucchi, 2820 - 2nd St. Peru, IL 61354 USPS - 1500 Fourth St., Peru, IL 61354	06-18-11	\$1,499.69
		Description: Beverages - \$819.69 Band - \$600.00 Postage - \$80.00

The political committee must report this contribution on their Form D-2, Section A, Part 5.



 Signature of Contributor
 Jonathan F. Brandt

IN-KIND CONTRIBUTION NOTIFICATION

SEE PAMPHLET "A GUIDE TO CAMPAIGN DISCLOSURE" FOR GUIDANCE.

The contributor shall notify the committee of this donated goods or services within five (5) business days.

Do not send this form to the State Board of Elections.

Full Name, Mailing Address, and Zip Code

If the In-Kind was donated by an Individual, occupation & employer must be provided.

To Candidate/Political Committee:

From:

Brian Towne - Citizens for Towne -

Attorney Jonathan F. Brandt

LaSalle County State's Attorney

Duncan & Brandt, P.C.

1800 Fourth Street, P.O. Box 568

Peru, IL 61354

Occupation & Employer (if applicable)

In-Kind Contribution

Full Name, Mailing Address and Zip Code of Vendor (if applicable).	Date	Value	Description
Illinois Valley Food Center, 235 Third St., LaSalle, IL 61301	05-18-2012		
HyVee Food Center, 1651 Midtown Rd., Peru, IL 61354			Beverages \$603.72
Knoblauch Advertising, P.O. Box 121, Oglesby, IL 61348			Beverages \$431.04
Valley Flowers, 130 E. Dakota, Spring Valley, IL 61342			Advertising Materials \$383.26
USPS, 1500 Fourth Street, Peru, IL 61354			Flowers \$336.63
			Postage \$165.60

The political committee must report this contribution on their Form D-2, Section A, Part 5.

DUNCAN & BRANDT, P.C.
by 
Signature of Contributor
Attorney Jonathan F. Brandt
Its President

BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION

FILED

JAN - 8 2016

**ATTY REG & DISC COMM
CHICAGO**

In the Matter of:

JULIE LYNN AJSTER

Attorney-Respondent ,

No. 6277029.

Commission No. 2016PR00001

COMPLAINT

Jerome Larkin, Administrator of the Illinois Attorney Registration and Disciplinary Commission, by his attorney, Denise Church, pursuant to Supreme Court Rule 753(b), complains of Respondent, Julie Lynn Ajster, who was licensed to practice law in Illinois on November 7, 2002, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

(Allegations common to all counts)

1. At all times described in this Complaint, and beginning in 1994, Danny French ("French") and Respondent were in a dating relationship. Beginning in 2002, and at all further times alleged in this complaint, French and Respondent lived together.

2. In 2014, Respondent represented French in a small claims suit in Bureau County, *Yard Pros II v. French*, Bureau County case number 2014-SC-351. Yard Pros II sued after French refused to pay for landscaping services Yard Pros II rendered to French at the house he shared with Respondent. Jonathan Brandt ("Brandt") represented Yard Pros II in the case.

3. Following a bench trial in Bureau County on October 29, 2014, the court found in favor of Yard Pros II and entered a judgement against French in the amount of \$550, plus costs

of \$171. Following the court hearing, French, Respondent and Brandt spoke to each other outside of the courthouse. After hearing French raising his voice, Deputy William Redshaw, a Bureau County deputy sheriff, told French he had to leave the area or he would be arrested. French and Respondent then left.

4. On December 19, 2014, the LaSalle County State's Attorney charged French by information on two felony counts of criminal conduct. The case was docketed as *People v. French*, LaSalle County case number 2014-CF-528. French was charged in Count One of the information with calling and threatening to kill Attorney Brandt, on July 24, 2014, in violation of 720 ILCS 5/26.5-2 and 5/26.5-5(b)(4) (Class IV felonies). In Count Two of the information, French was charged with telephone harassment of Brandt's secretary, Wieden, occurring on or about July 23, 2014 in violation of 720 ILCS 5/26.5-2(a). From January 6, 2015 until May 20, 2015, Respondent represented French in French's criminal case, *People v. French*, LaSalle County case number 2014-CF-528. During the period of Respondent's representation of French in case number 2014-CF-528, the LaSalle County State's Attorney filed additional charges against French and those charges were consolidated in case number 2014-CF-528. On May 20, 2015, the court disqualified Respondent from representing French in case number 2014-CF-528.

COUNT I

(Misrepresentations to a tribunal during a bond hearing relating to her client's financial resources - Danny French)

5. On December 19, 2014, in case number 2014-CF 528, the court set bond for French in the amount of \$50,000, allowing French to post bail of 10%, or \$5,000. On December 24, 2014, French posted cash bail of \$5,000, and was released from jail.

6. On December 30, 2014, the LaSalle County grand jury indicted French on a third charge, threatening a public official, alleging that French threatened to kill Aaron Hollenbeck

("Hollenbeck"), a LaSalle County deputy sheriff, in violation of 720 ILCS 5/12-9 (Class 3 felony). Bond remained set at \$50,000.

7. Pursuant to 725 ILCS 5/110-5, in determining the amount of bail, the court is to set bail at an amount that is not oppressive (725 ILCS 5/110-5(b)(2)), and that is considerate of the financial ability of the accused (725 ILCS 5/110-5 (b)(3)).

8. On January 6, 2015, Respondent as French's attorney, filed a verified motion to return bail bond in case number 2014-CF-528 ("bond motion"). In the bond motion, Respondent alleged "as a disabled person, Mr. French receives \$717 a month in Social Security disability payments." Respondent also stated that "Mr. French posted \$5,000 which is an oppressive amount of money considering he receives \$717 a month in Social Security disability payments." Respondent's statement in the bond motion seeking relief based upon an argument that the bond amount was oppressive, that French "receives \$717 a month" was false in that Respondent did not disclose to the court or the State that French received at least \$2,300 per month including Workers Compensation benefits.

9. At the time Respondent filed the bond motion, Respondent knew that her statement was false.

10. On March 6, 2015, the court entered an order denying French's request to lower his bond, but granted the motion which allowed French to leave the State of Illinois for medical purposes.

11. On April 7, 2015, the LaSalle County grand jury indicted French on three more felony counts relating to Brett King ("King"). Count Four charged French with harassing a witness, King, in violation of 720 ILCS 5/32-4a(a)(2)(Class II felony); Count Five charged French with threatening to pursue litigation against King if King testified truthfully, in violation

of 720 ILCS 5/32-4b(a)(Class III felony); and Count Six charged French with intimidation of a witness in violation of 720 ILCS 5/12-6 (a) (1) (Class III felony). The court set bond in the amount of \$750,000, 10% to apply, and issued a warrant for French's arrest.

12. On April 13, 2015, Respondent filed a motion to reduce bail. Respondent attempted to have her April 13, 2015 motion to reduce bail heard on several occasions, but the court did not allow her to argue the motion to reduce bail until French was served with warrants on the new counts.

13. On April 21, 2015, the LaSalle County grand jury indicted French on two additional felonies relating to harassment of a witness, King, and French's allegedly telling King to lie and say the police and Brandt coerced him into giving a statement. Count Seven alleged French's action caused mental anguish, and Count Eight alleged French's actions caused emotional distress. Both counts charged a violation of 720 5/32-4a(a)(2) (Class II felony).

14. On May 7, 2015, at Respondent's request, and over the objection of the State, the court conducted an "emergency" hearing on the motion for bail reduction Respondent had filed on April 13, 2015.

15. During the May 7, 2015 hearing, Respondent stated that "as far as the bond itself of \$750,000, I mean the purpose of bond is not to be oppressive financially. My client is completely, totally disabled. He gets \$800 a month in Social Security benefits."

16. Respondent statement that French gets \$800 a month in Social Security benefits was false in that Respondent did not disclose to the State or court that French received over \$2300 per month, including Workers Compensation benefits.

17. Respondent knew that her statement was false.

18. During the May 7, 2015 hearing, Respondent also stated that if French actually posted \$75,000 cash bond and the State kept 10% as a processing fee that "you know, that's the equivalent of more than a year's earning for him. So I think the bond is overly oppressive."

19. Respondent's statement that 10% of \$75,000 [i.e. \$7,500] is more than a year's earnings for French was false in that French received over \$27,000 a year from a combination of benefits from the Social Security Administration and payments through the Worker's Compensation Commission.

20. On May 7, 2015, the court reduced French's bond to \$150,000, 10% to apply.

21. At the State's request, the court conducted an additional hearing on bond on May 13, 2015. At the May 13, 2015 hearing, Respondent stated "in this particular case to have somebody post \$20,000 bond who gets \$800 a month in Social Security I would argue is punitive and financially burdensome to him ..."

22. Respondent's statement that French received \$800 a month in Social Security was false in that French received approximately \$2,300 each month from a combination of payments from the Social Security Administration and payments received through the Worker's Compensation Commission.

23. Respondent knew her statement was false.

24. During the hearings described above, the court and the State's Attorney's office and its lawyers were unaware that French was receiving Workers Compensation benefits.

25. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement of fact or law to a tribunal, by stating French received \$717 in Social Security benefits and that bond at \$5,000 was oppressive given that amount, in her January 6, 2015 verified motion to return bail bond, and implying that was the only money French received

each month; by stating during the May 7, 2015 hearing that bond was oppressive because her client received \$800 a month in Social Security benefits, thus implying that was all the money he received each month; by falsely stating in the May 7, 2015 hearing that 10% of \$75,000 was "the equivalent of more than a year's earning's" for French; by stating during the May 13, 2015 hearing that \$20,000 in bond was punitive to French who received \$800 a month in Social Security; and by failing to advise the court that French also received payments through the Worker's Compensation Commission on each of the above occasions, in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010); and

- b. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by knowingly making misrepresentations to the court regarding the amount of money French received each month, as outlined in Paragraph 20(a), above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT II

(Misrepresentations in an affidavit relating to her conversation with a witness, Brett King)

26. The Administrator realleges Paragraphs 5-24, above.

27. On April 13, 2015, Respondent filed a motion to reduce bail on French's behalf in case number 2014-CF-528. Respondent argued that bond of \$750,000 was set too high, in part, because the alleged contact that French had with the alleged victim in Counts Four, Five, and Six was non-threatening. Respondent attached a document described as her affidavit ("affidavit"), which she signed on April 9, 2015, but did not have notarized until April 29, 2015. The document in part described a telephone call involving King, Respondent and French that occurred in February 2015. In the affidavit, Respondent described the telephone conversation she had with King, a witness against French, on February 5, 2015. In the statement, Respondent stated:

- a. Paragraph 11. "Mr. King told me that the only reason he talked to the police in the first place was because Mr. Brandt had threatened not to do business with his father's business, King Engineering, if he did not cooperate."

- b. Paragraph 13. "Mr. King told me that he was threatened by Mr. Brandt that if he did not cooperate and come back to Illinois to testify against Mr. French that he would make sure he was arrested."
- c. Paragraph 18. "The only concern Mr. King expressed to me during our conversation was that he was afraid of Mr. Brandt and him having a warrant issued for his arrest if he did not testify on his behalf."

28. Each of the above statements relating to Respondent's conversation with King were false, as King did not make the statements described above to Respondent during the February 5, 2015 phone call, or at any other time.

29. At the time Respondent submitted her affidavit to the court, Respondent knew her statements contained in the affidavit were false, as outlined in paragraph 27 above.

30. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. knowingly making a false statement of fact or law to a tribunal, by submitting an affidavit that falsely described her conversation with King, and failing to correct her affidavit, in violation of Rule 3.3(a)(1) of the Illinois Rules of Professional Conduct (2010);
- b. offering evidence that the lawyer knows to be false, by filing her affidavit with false statements relating to her conversation with Brett King, in violation of Rule 3.3(a)(3) of the Illinois Rules of Professional Conduct (2010); and
- c. engaging in conduct involving knowing dishonesty, fraud, deceit, or misrepresentation, by knowingly making false statements in her affidavit relating to her conversation with King, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010).

COUNT III

(Misrepresentations to the State's Attorney's office regarding Jonathan Brandt)

31. The Administrator realleges Paragraphs 5-24; and 27-29.

32. On January 7, 2015, Respondent entered her appearance in case number 2014-CF-528 for French.

33. On March 16, 2015, Respondent wrote to Assistant States Attorney Jeremiah Adams ("ASA Adams") about French's case, and presented arguments as to why the State should consider dismissing the case against French, including statements about Brandt's purported animosity against French. In the letter, Respondent stated she was present with French after a trial in October 2014, where attorney Brandt, the alleged victim in Count One, was also present. Respondent stated that Brandt called her a "cunt" and "flipped me off." Respondent also stated in the letter that during the October incident Brandt said to French, "I am going to get you, you motherfucker." Respondent also stated that she asked the bailiff if the bailiff would ask Brandt to leave.

34. Respondent's statements regarding what happened after the October 2014 hearing were false, in that Brandt did not call her a "cunt," did not "flip her off," and did not tell French "I am going to get you, you motherfucker"; and Respondent did not ask the bailiff to have Brandt leave.

35. At the time Respondent made the statements described in paragraph 33 above, Respondent knew her statements described above were false.

36. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. making a false statement of material fact or law to a third person, by falsely stating to ASA Adams that Brandt had called her a "cunt" and "flipped her off," and that Brandt said "I'm going to get you motherfucker" to French, and that Respondent asked the bailiff to have Brandt leave, in violation of Rule 4.1(a) of the Illinois Rules of Professional Conduct (2010); and
- b. engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation, by knowingly making false statements to ASA Adams that Brandt called her a "cunt", "flipped her off", and that Brandt said to French "I am going to get you motherfucker" in

violation of Rule 8.4 (c) of the Illinois Rules of Professional Conduct (2010).

COUNT IV

(Improper statements to an unrepresented person - Brett King)

37. The Administrator realleges Paragraphs 5-24 and 27-29.

38. King participated in a conversation with French in which French allegedly admitted he had made harassing telephone calls to Brandt.

39. At some point prior to February 5, 2015, French learned that King was cooperating or might be cooperating with law enforcement in the case against French.

40. In February 2015, King was aware that Respondent had sued Brandt, Wieden, and Michael Venturelli on French's behalf for allegedly slandering French. The litigation, filed by Respondent on January 20, 2015, was captioned as *French v. Brandt, Wieden, Venturelli*, LaSalle County case number 2015 L 9.

41. On February 5, 2015, Respondent, French, and King participated in a telephone conversation relating to the criminal charges pending against French after King called Respondent's cell phone in order to talk to either Respondent or French.

42. Respondent answered the February 5, 2014 call from King. Respondent and King talked about the fact that King's name had been raised as a witness to a card game at which French allegedly made incriminating statements about Brandt. French also spoke at times during this telephone call.

43. King was unrepresented in any civil matter relating to French, including any claims that he had slandered French.

44. King, a possible witness against French in the criminal case, was unrepresented in the criminal case involving French.

45. During her conversation with King on February 5, 2015, Respondent repeatedly advised King that the authorities in Illinois could not make him testify unless he traveled to Illinois and was personally served with a subpoena, and that Illinois "didn't have jurisdiction over him."

46. During her conversation with King on February 5, 2015, Respondent repeatedly talked about the number of people she had sued on French's behalf, and stated that she had considered suing King.

47. While discussing who she was suing, Respondent said "because my thought is, if you fuck with me I'm going to fucking destroy you. With Greasy [Venturelli] starting this shit with Dan over a card game in all this shit, and Jonathan Brandt starting this shit. Brandt is just mad because he was out-lawyered, too fucking bad, suck it up. But don't take it out on fucking Dan. . . and the only reason that I think this came up about the phone harassment is because Jonathan Brandt was talking to Dan's old lawyer, Louis Bertrand, who I may sue his fucking ass too... I mean, it won't cost me a God damn thing, I'll sue fucking everybody."

48. During the February 5, 2015 conversation, King told Respondent the Peru Police Department had sent him a statement to sign, and that he didn't know what to do about it. Respondent told King: "no, I wouldn't give it to them because if they wanted a statement from you, then they should have got it back in July [2014]." Respondent also advised King that if he sent back the statement "... they're going to try to bring you back to Illinois."

49. During the February 5, 2015 conversation Respondent also told King "so I mean here's the thing Brett, with that statement, I mean my thought is whoever walks away and leaves Dan fucking alone, then I'm going to leave them fucking alone. If somebody wants to pursue it, they don't want that fight with me."

50. During the February 5, 2015 conversation, King asked "if I don't send the statement in that's in front of me, I'm not going to get sued, right?" Respondent replied "well there'd be no reason to."

51. By reason of the conduct described above, Respondent engaged in the following misconduct:

- a. making a false statement of material fact or law to a third person, by telling King the state could not compel his attendance in Illinois, in violation of Rule 4.1(a) of the Illinois Rules of Professional Conduct (2010);
- b. requesting a person other than a client to refrain from voluntarily giving relevant information to another party, by advising King not to return a written statement to the Peru Police Department, and by stating there would be no reason to sue King if he did not return the statement, in violation of Rule 3.4(f) of the Illinois Rules of Professional Conduct; and
- c. in dealing on behalf of a client with a person who is not represented by counsel giving legal advice to an unrepresented person other than the advice to secure counsel, when the Respondent knew or reasonably should have known the interest of King are or have a reasonable possibility of being in conflict with the interest of her client, by advising King regarding the State's jurisdiction over him and by threatening to sue King while discussing his cooperation with the law authorities, when French's interests were to convince King not to cooperate, and King had an interest in cooperating with the authorities, in violation of Rule 4.3 of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator requests that this case be assigned to a panel of the Hearing Board, that a hearing be conducted, that the panel make findings of fact and conclusions of fact and law and a recommendation for such discipline as is warranted.

Respectfully submitted,

Jerome Larkin, Administrator
Attorney Registration and
Disciplinary Commission

By: 
Counsel for the Administrator

Denise Church
Illinois Attorney Registration and
Disciplinary Commission
dlchurch@iadc.org
3161 West White Oaks Drive, Suite 301
Springfield, IL 62704
Telephone: (217) 546-3523
MATNLB_#691116_v1